

REMARKS

Upon entry of the present Amendment-C, claims 1, 3, 5, 7-8, 10 and 12-16 are pending in the present application, of which claims 1, 5, 7 and 10 are independent. Claims 1, 5, 7, 10 and 12 are amended herein, and claims 4, 9 and 17 are canceled.

The applicant thanks the Examiner for the helpful remarks provided in a telephone interview held on October 18, 2006. In the interview, proposed claim amendments, provided to the Examiner prior to the interview, were discussed. The Examiner indicated that the proposed claims would not overcome Buchner as modified by Desai, since, in combination, Buchner teaches a transceiver, whereby a transmitting circuit would be provided, and interruption thereof is obvious in view of the teachings of Desai. The applicant's representative then presented an alternative amendment to the independent claims in which it is recited that the interrupting unit which indefinitely interrupts, if the vehicle is not started, a supply of power to the transmission and receiving circuits, until such time as the predetermined switch is operated. The Examiner agreed that such an amendment would appear to avoid rejection as obvious in view of Desai, but indicated that further search would be required before making a final determination on patentability. The Examiner further suggested that an amendment in which the limitations of claim 4 were included in claim 1 may be favorably considered. No agreement was reached.

Claims 1, 5, 7 and 10 have been amended to more clearly define the subject matter which applicant regards as his invention by re-ordering or re-stating the recitations of the structure of the system. In addition, these claims are amended to include a feature of the invention recited in claims 4, 19 and 17, whereby no new matter is added to the application, no new issues are raised for consideration by the Examiner, and also whereby the amendment is fully supported by the original disclosure.

Claim 12 has been amended to correct an informality in which the word “the” appears twice in succession. Thus, no new matter is added to the application by this amendment, and no new issues are raised for consideration by the Examiner.

The above-identified Office Action has been reviewed, the applied references carefully considered, and the Examiner's comments carefully weighed. In view thereof, the present Amendment-C is submitted. It is contended that by the present amendment, all bases of objection and rejection set forth in the Office Action have been traversed and overcome. Accordingly, reconsideration and withdrawal of the objection and rejection is respectfully requested.

IN THE CLAIMS

Claim Rejections – 35 USC §103

In the Office Action (item 3, page 2), the Examiner rejected claims 1, 3-5, 7-10, and 12-17 are rejected under 35 USC 103(a) as unpatentable over Buchner et al (US 6,194,997) in view of Desai (US 6,236,850). In his rejection, the Examiner states that Buchner discloses an electronic key system for a vehicle, including a controller 1, a portable transceiver 9, a locking unit (door locks 2, tail gate lock 3), wherein the controller comprises a transmitter that outputs a request signal (col. 3, lines 14-15, 40-41) to the portable transceiver in response to an operation of a predetermined switch 70, a receiver (antenna 4), a drive unit (inherent), and an interrupting unit controller which permits a switching unit to supply power to the transmission circuit and the receiving circuit in response to an ON operation of the predetermined switch (Buchner discloses that upon activation of the activation switch and recognition of the transmitted signal, the control unit 1 is instructed to lock or unlock doors). The Examiner concedes that Buchner does not expressly disclose an interrupting unit which

interrupts, if the vehicle is not started for a specified period of time, a supply of power to a transmission circuit and a receiving circuit, as claimed.

The Examiner cites the disclosure of Desai as providing an apparatus which permits a power-save period when a vehicle is inactive for a very long time, and a receiver/controller 18 and power control circuitry 62 for conservation of power, which operates in three modes, a full ON mode, a sleep mode, and a duty cycling mode (control circuitry 62 interrupts the supply of power to the receive circuitry in side the controller during the sleep mode (col. 6, lines 64-65)). The full ON mode is entered upon detection of a transmitted signal from transmitter 14, and otherwise it remains in the sleep mode or the duty cycling mode. The sleep mode and duty cycling mode are entered when a predetermined time has elapsed (fig. 4, col. 7, lines 41-58).

The Examiner considers it obvious to modify the Buchner electronic key system to include the power saving invention of Desai for the purpose of obtaining an interrupting unit that supplies power to the receive circuitry in a predetermined manner to save power in order to obtain a safer and reliable security system and a system that saves power.

Applicant's Response

In order to promote the prosecution of the application, claims 1, 5, 7 and 10 have been amended herein to more clearly define the subject matter which applicant regards as his invention. In each of these claims, the recitations of the structure of the system has been re-ordered, or re-stated, whereby any confusion regarding whether the transmission circuit and the receiving circuit would operate even though a supply of power to the transmission and receiving circuits is interrupted. In addition, claims 1, 5, 7 and 10 have been further amended herein to recite that a switch for detecting that the user has boarded the vehicle is included as one of the plurality of switches. This feature, as claimed in claims 4, 9 and 17 (now canceled), is supported

in the original specification on page 6, lines 15-23, whereby the claimed feature is fully supported in the original specification, and no new matter is added.

As amended herein, it is clearly recited that the transmission and receiving circuits would not operate when the supply of power to the transmission and receiving circuits are interrupted.

This structure is clearly not shown by the disclosure of Buchner as modified by Desai. As conceded by the Examiner, Buchner does not disclose or suggest an interrupting unit which interrupts, if the vehicle is not started for a specified period of time, a supply of power to a transmission circuit and a receiving circuit. In addition, Desai provides a teaching of interrupting a power supply to a receiving circuit, but does not provide a teaching of interrupting a power supply to transmitting circuit, as claimed. In the system disclosed by Desai, the initial request is initiated at the remote transmitter 14, and no transmitter is provided within the vehicle itself, and thus the system of Desai can only supply, or withhold, power from the receiving circuit.

In addition, claims 1, 5, 7 and 10 now recite that a switch for detecting that the user has boarded the vehicle is included as one of the plurality of switches. This feature was originally claimed in dependent claims 4, 9 and 17, and the applicant notes that claims 4, 9 and 17 are rejected as unpatentable over Buchner in view of Desai (see pages 5, 9 and 13 of the Office Action). In this regard, the applicant respectfully disagrees that Buchner as modified by Desai make obvious a switch for detecting that the user has boarded the vehicle is included as one of the plurality of switches, since Buchner does not teach using a switch for detecting that the user has boarded the vehicle as means for initiating the dialog between the key 9 and control unit 1. Instead, the applicant finds that Buchner discloses use of seat sensors as means for initiating the dialog between the key 9 and control unit 1 (col. 7, lines 5-15). Buchner also discloses a monitoring system

13, 14, 15 to determine whether or not someone is in the interior of the vehicle. However, the applicant disagrees that Buchner teaches using the monitoring system 13, 14, 15 as means for initiating the dialog between the key 9 and control unit 1.

The applicant submits that it is very advantageous to include a switch for detecting that the user has boarded the vehicle (boarding detection switch) as one of the plurality of switches. When such a boarding detection switch has been switched on, a request signal is automatically output from a controller at the point in time that the user boards the vehicle, or alternatively, receipt of a request signal from a portable transmitter is started, whereby it is possible to significantly improve vehicle operability.

As regards claims 3, 8, and 16, which recite that the plurality of switches are operational switches used for starting the engine, providing safety, and stopping the vehicle, the applicant respectfully disagrees with the rejections of these claims for the reasons stated above with respect to claims 1, 5, and 7, as amended herein, from which claims 3, 8 and 16 respectively depend.

As regards claim 12 and claims 13-15, the applicant respectfully disagrees with the rejections of these claims for the reasons stated above with respect to claim 10 as amended herein, from which these claims depend.

For all of the foregoing reasons, the applicant requests consideration and withdrawal of the rejection of claims 1, 3-5, 7-10, and 12-17 under 35 USC § 103(a).

Conclusion

The applicant respectfully submits that all of the above amendments are fully supported by the original application. The applicant also respectfully submits that the above amendments do not introduce any new matter into the application or raise new matters for consideration by the Examiner.

Based on all of the foregoing, the applicant respectfully submits that all of the objections and rejections set forth in the Office Action are overcome, and that as presently amended, all of the pending claims are believed to be allowable over all of the references of record, whether considered singly or in combination. The applicant requests reconsideration and withdrawal of the rejection of record, and allowance of the pending claims.

If any issues remain unresolved, the applicant respectfully requests that the Examiner telephonically contact the applicant's undersigned representative to expeditiously resolve prosecution of the application.

Entry of the present Amendment-C is respectfully requested under 37 CFR 1.116 on the grounds that: the amendment does not raise any new issues for consideration by the Examiner, but instead merely clarifies existing claim language consistent with prior arguments and the corresponding discussion in the original disclosure; the amendment reduces the number of issues on appeal, if necessary; and moreover, the amendment is believed to place the application in condition for allowance.

Favorable consideration is respectfully requested.

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